

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

JAMES WOOD,)	
)	
Plaintiff,)	
)	
v.)	No.: 1:20-CV-54-TAV-CHS
)	
STATE OF TENNESSEE,)	
)	
Defendant.)	

MEMORANDUM OPINION

This is a prisoner's pro se complaint for violation of 42 U.S.C. § 1983. Now before the Court is Plaintiff's motion to voluntarily dismiss this action [Doc. 36], in which he states that he seeks to dismiss this action because he is "currently unable to litigate this case due to [a] myriad of factors including mental distress" [*Id.* at 1]. Defendant has not filed a response, and the time for doing so has passed. *See* E.D. Tenn. L.R. 7.1(a)(2). The Court thus concludes that Defendant has waived any opposition to Plaintiff's request to voluntarily dismiss. *See* E.D. Tenn. L.R. 7.2 ("Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought").

Accordingly, Plaintiff's motion to voluntarily dismiss this action [Doc. 36] will be **GRANTED** and the Clerk will be **DIRECTED** to terminate all other pending motions in this case [Docs. 12, 13, 14, 16, 23, 30, 32] as moot. Also, the Court **CERTIFIES** that any appeal from this dismissal would not be taken in good faith.

AN APPROPRIATE JUDGMENT ORDER WILL ENTER.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE